

U. S. District Court
Western District of Arkansas (Fayetteville)
CRIMINAL DOCKET FOR CASE #: 5:14-cr-50035-TLB All Defendants

Case title: USA v. Sholds

Date Filed: 05/07/2014

Date Terminated: 11/07/2014

Assigned to: Honorable Timothy L.
Brooks

Defendant (1)

Scott Sholds

TERMINATED: 11/07/2014

represented by **John B. Schisler**

Office of the Federal Public Defender

3739 Steele Blvd., Suite #280

Fayetteville, AR 72703

(479) 442-2306

Fax: 479-443-1904

Email: jack_schisler@fd.org

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

*Designation: Public Defender or Community
Defender Appointment*

Pending Counts

18:2251(a)EXPLOITATION OF A
MINOR
(1)

18:2251(a)EXPLOITATION OF A
MINOR
(2)

Disposition

SENTENCED TO 360 MONTHS ON COUNT ONE (1); 360 MONTHS ON COUNT TWO (2) TO RUN CONSECUTIVELY TO COUNT ONE (1); 360 MONTHS ON COUNT THREE (3), OF WHICH 240 MONTHS WILL RUN CONSECUTIVELY TO COUNTS ONE (1) AND TWO (2) AND 120 MONTHS WILL RUN CONCURRENTLY; 360 MONTHS ON COUNT FOUR (4) TO RUN CONCURRENTLY WITH ALL OTHER TERMS; 25 YEARS SUPERVISED RELEASE CONCURRENTLY; \$400.00 SPECIAL ASSESSMENT

SENTENCED TO 360 MONTHS ON COUNT ONE (1); 360 MONTHS ON COUNT TWO (2) TO RUN CONSECUTIVELY TO COUNT ONE (1); 360 MONTHS ON COUNT THREE (3), OF WHICH 240 MONTHS WILL RUN CONSECUTIVELY TO COUNTS ONE (1) AND TWO (2) AND 120 MONTHS WILL RUN CONCURRENTLY; 360 MONTHS ON COUNT FOUR (4) TO RUN CONCURRENTLY WITH ALL OTHER TERMS; 25 YEARS SUPERVISED

18:2251(a)EXPLOITATION OF A
MINOR
(3)

RELEASE CONCURRENTLY; \$400.00
SPECIAL ASSESSMENT

SENTENCED TO 360 MONTHS ON COUNT
ONE (1); 360 MONTHS ON COUNT TWO (2)
TO RUN CONSECUTIVELY TO COUNT ONE
(1); 360 MONTHS ON COUNT THREE (3), OF
WHICH 240 MONTHS WILL RUN
CONSECUTIVELY TO COUNTS ONE (1) AND
TWO (2) AND 120 MONTHS WILL RUN
CONCURRENTLY; 360 MONTHS ON COUNT
FOUR (4) TO RUN CONCURRENTLY WITH
ALL OTHER TERMS; 25 YEARS SUPERVISED
RELEASE CONCURRENTLY; \$400.00
SPECIAL ASSESSMENT

18:2251(a)EXPLOITATION OF A
MINOR
(4)

SENTENCED TO 360 MONTHS ON COUNT
ONE (1); 360 MONTHS ON COUNT TWO (2)
TO RUN CONSECUTIVELY TO COUNT ONE
(1); 360 MONTHS ON COUNT THREE (3), OF
WHICH 240 MONTHS WILL RUN
CONSECUTIVELY TO COUNTS ONE (1) AND
TWO (2) AND 120 MONTHS WILL RUN
CONCURRENTLY; 360 MONTHS ON COUNT
FOUR (4) TO RUN CONCURRENTLY WITH
ALL OTHER TERMS; 25 YEARS SUPERVISED
RELEASE CONCURRENTLY; \$400.00
SPECIAL ASSESSMENT

18:2252A(a)(5)(B)N OF CHILD
PORNOGRAPHY
(5)

SENTENCED TO 240 MONTHS
IMPRISONMENT TO RUN CONCURRENTLY
WITH ALL OTHER TERMS; 25 YEARS
SUPERVISED RELEASE TO RUN
CONCURRENTLY; \$100.00 SPECIAL
ASSESSMENT.

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

None

Disposition

Plaintiff**USA**

represented by **Conner Eldridge**
U.S Attorney's Office
414 Parker Avenue
Fort Smith, AR 72901
(479) 783-5125
Email: conner.eldridge@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Dustin S. Roberts
U.S. Attorney's Office
414 Parker Avenue
P.O. Box 1524
Fort Smith, AR 72902
479-783-5125
Fax: 479-441-0578
Email: Dustin.Roberts@usdoj.gov
ATTORNEY TO BE NOTICED

Date Filed	#	Page	Docket Text
05/07/2014	<u>1</u>		INDICTMENT as to Scott Sholds (1) count(s) 1-4, 5. (tg) (Entered: 05/12/2014)
05/07/2014	<u>2</u>		Citation Calendar as to Scott Sholds. (tg) (Entered: 05/12/2014)
05/07/2014	<u>3</u>		Citation Sheets as to Scott Sholds. (tg) (Entered: 05/12/2014)
05/08/2014	<u>4</u>		THE DOCUMENT IS RESTRICTED TO COURT USERS. Arrest Warrant Issued as to Scott Sholds. (tg) (Entered: 05/12/2014)
05/08/2014	<u>5</u>		PETITION AND ORDER for Writ of Habeas Corpus Ad Prosequendum as to Scott Sholds returnable by May 29, 2014 at 11:00 a.m. Signed by Honorable Erin L. Setser on May 08, 2014. (cc via CM/ECF: U.S. Probation Office, U.S. Marshals Service) (tg) (Entered: 05/12/2014)
05/08/2014	<u>6</u>		THE DOCUMENT IS RESTRICTED TO COURT USERS. Writ of Habeas Corpus ad Prosequendum Issued as to Scott Sholds to appear in Fayetteville, Arkansas on May 29, 2014. Delivered to USMS for service. (tg) (Entered: 05/12/2014)
05/27/2014	<u>7</u>		THE DOCUMENT IS FILED UNDER SEAL WITH THE COURT. PRETRIAL REPORT in case as to Scott Sholds. (cr) (Entered: 05/27/2014)
05/28/2014			TEXT ONLY ORDER Setting Hearing as to Scott Sholds : Arraignment set for 5/29/2014 11:00 AM in Fayetteville — 5th flr (Rm 509) before Honorable Erin L. Setser. Signed by Honorable Erin L. Setser on May 28, 2014. (parties notified via separate email: U.S. Probation Office, U.S. Marshals Service) (gh) (Entered: 05/28/2014)

05/29/2014			Arrest of Scott Sholds. (gh) (Entered: 05/29/2014)
05/29/2014			Case unsealed as to Scott Sholds. (gh) (Entered: 05/29/2014)
05/29/2014	<u>8</u>		TEXT ONLY Minute Entry for proceedings held before Honorable Erin L. Setser: Arraignment as to Scott Sholds (1) Count 1–4,5 held on 5/29/2014; not guilty plea entered to the Indictment. Attorney Bruce Eddy standing in for Jack Schisler, Public Defender Appointment, for Scott Sholds present. Dustin Roberts standing in for Conner Eldridge appeared for USA. Financial affidavit executed, Counsel appointed. Defense counsel requests discovery in open court. Government has 7 days to provide information. Defendant waived the issue of detention. Defendant remanded to the custody of the U.S. Marshals Service. Jury Trial set for 7/14/2014 09:00 AM in Fayetteville — 5th flr (Rm 509) before Honorable Timothy L. Brooks. (Gina Hellums–Digital Recorder)(Proceedings held in Fayetteville–Room 509) (gh) (Entered: 05/29/2014)
05/29/2014	<u>9</u>		CJA 23 Financial Affidavit by Scott Sholds. THE ORIGINAL IS FILED UNDER SEAL WITH THE COURT. (gh) (Entered: 05/29/2014)
05/29/2014	<u>10</u>		ORDER APPOINTING FEDERAL PUBLIC DEFENDER, Jack Schisler, as to Scott Sholds. Signed by Honorable Erin L. Setser on May 29, 2014. (cc via CM/ECF: U.S. Probation Office) (gh) (Entered: 05/29/2014)
05/29/2014	<u>11</u>		ORDER OF DETENTION as to Scott Sholds. Defendant waived the issue of detention. Signed by Honorable Erin L. Setser on May 29, 2014. (cc via CM/ECF: U.S. Probation Office, U.S. Marshals Service) (gh) (Entered: 05/29/2014)
05/29/2014	<u>12</u>		PRETRIAL SCHEDULING ORDER as to Scott Sholds, establishing pretrial deadlines and setting case for jury trial on 7/14/14. Signed by Honorable Erin L. Setser on May 29, 2014. (cc via CM/ECF: U.S. Probation Office) (gh) (Entered: 05/29/2014)
05/29/2014	<u>13</u>		NOTICE OF ATTORNEY APPEARANCE Dustin S. Roberts appearing for USA. . (Roberts, Dustin) (Entered: 05/29/2014)
06/04/2014	<u>14</u>		Arrest Warrant Returned Executed on 5/29/2014 as to Scott Sholds. (rg) (Entered: 06/04/2014)
07/07/2014			TEXT ONLY ORDER Setting/Resetting Hearings as to Scott Sholds. Jury trial for this defendant canceled: Change of Plea Hearing set for 7/14/2014 09:00 AM in Fayetteville — 5th flr (Rm 509) before Honorable Timothy L. Brooks. Signed by Honorable Timothy L. Brooks on July 7, 2014. (cc via CM/ECF: U.S. Probation Office, U.S. Marshals Service) (gg) (Entered: 07/07/2014)
07/14/2014	<u>15</u>		Minute Entry for proceedings held before Honorable Timothy L. Brooks: Change of Plea Hearing as to Scott Sholds held on 7/14/2014. Plea entered guilty as to Counts 1–5. (Dana Hayden–Court Reporter)(Proceedings held in Fayetteville–Room 509) (gg) (Entered: 07/14/2014)
07/14/2014	<u>16</u>		PLEA AGREEMENT as to Scott Sholds. (gg) (Entered: 07/14/2014)

09/15/2014	<u>17</u>	<p>THE DOCUMENT IS FILED UNDER SEAL WITH THE COURT.</p> <p>INITIAL DISCLOSURE COPY OF PRESENTENCE INVESTIGATION REPORT (SEALED) in case as to Scott Sholds. Response or Objections to PSR due by 10/2/2014. (Attachments: # <u>1</u> Instruction Sheet)(tmt) (Entered: 09/15/2014)</p>
09/17/2014		<p>TEXT ONLY ORDER Setting/Resetting Hearings as to Scott Sholds : A THREE DAY SENTENCING TERM beginning 1/6/2015 09:00 AM in Fayetteville --- 5th flr (Rm 509) before Honorable Timothy L. Brooks has been set for the hearing in this matter. You will be notified of your position on the docket with an exact date and time to appear approximately one week prior to the sentencing term. Signed by Honorable Timothy L. Brooks on September 17, 2014. (cc via CM/ECF: U.S. Probation Office, U.S. Marshals Service) (gg) (Entered: 09/17/2014)</p>
09/17/2014		<p>TEXT ONLY ORDER as to Scott Sholds: A sentencing hearing has been set in this case. The Court hereby orders any Sentencing Memorandum which the parties feel would be beneficial to the Court to be filed no later than December 23, 2015. The first page of any sentencing related filing should include an estimate of the anticipated length of time necessary for the hearing. Additionally, if the sentencing is continued, any Supplemental Sentencing Memorandum will be due 14 days prior to the new sentencing date. Any responsive memoranda must be filed within 7 days after the filing of the sentencing memorandum that the responding party wishes to address. Furthermore, if any party otherwise expects the sentencing to be contested, the party or parties should so inform the Court by 21 days prior to sentencing so that enough time will be allotted for the hearing. Signed by Honorable Timothy L. Brooks on September 17, 2014. (cc via CM/ECF: U.S. Probation Office, U.S. Marshals Service) (gg) (Entered: 09/17/2014)</p>
09/18/2014		<p>TEXT ONLY ORDER Setting/Resetting Hearings as to Scott Sholds : Sentencing RESET for 11/7/2014 09:00 AM in Fayetteville --- 5th flr (Rm 509) before Honorable Timothy L. Brooks. Signed by Honorable Timothy L. Brooks on September 18, 2014. (cc via CM/ECF: U.S. Probation Office, U.S. Marshals Service) (gg) (Entered: 09/18/2014)</p>
09/18/2014		<p>AMENDED TEXT ONLY ORDER as to Scott Sholds: A sentencing hearing has been set in this case. The Court hereby orders any Sentencing Memorandum which the parties feel would be beneficial to the Court to be filed no later than October 24, 2014. The first page of any sentencing related filing should include an estimate of the anticipated length of time necessary for the hearing. Additionally, if the sentencing is continued, any Supplemental Sentencing Memorandum will be due 14 days prior to the new sentencing date. Any responsive memoranda must be filed within 7 days after the filing of the sentencing memorandum that the responding party wishes to address. Furthermore, if any party otherwise expects the sentencing to be contested, the party or parties should so inform the Court by 21 days prior to sentencing so that enough time will be allotted for the hearing. Signed by Honorable Timothy L. Brooks on September 18, 2014. (cc via CM/ECF: U.S. Probation Office, U.S. Marshals Service) (gg) (Entered: 09/18/2014)</p>
09/30/2014	<u>18</u>	<p>THE DOCUMENT IS FILED UNDER SEAL WITH THE COURT.</p>

			RESPONSE/OBJECTION(S) TO <u>17</u> PRESENTENCE INVESTIGATION REPORT (Sealed) by Scott Sholds. (Schisler, John) Modified on 10/1/2014 to grant applicable party access (jn). (Entered: 09/30/2014)
10/02/2014	<u>19</u>		THE DOCUMENT IS FILED UNDER SEAL WITH THE COURT. RESPONSE/OBJECTION(S) TO <u>17</u> PRESENTENCE INVESTIGATION REPORT (Sealed) by USA as to Scott Sholds. (Roberts, Dustin) Modified on 10/2/2014 to grant applicable party access (jn). (Entered: 10/02/2014)
10/02/2014	<u>20</u>		THE DOCUMENT IS FILED UNDER SEAL WITH THE COURT. RESPONSE/OBJECTION(S) TO <u>17</u> PRESENTENCE INVESTIGATION REPORT (Sealed) by USA as to Scott Sholds. (Roberts, Dustin) Modified on 10/2/2014 to grant applicable party access (jn). (Entered: 10/02/2014)
10/21/2014	<u>21</u>		Unopposed MOTION for Extension of Time as to Order re Sentencing Memorandum Due – TEXT ONLY,,, by Scott Sholds. (Schisler, John) (Entered: 10/21/2014)
10/21/2014	<u>22</u>		THE DOCUMENT IS FILED UNDER SEAL WITH THE COURT. FINAL PRESENTENCE INVESTIGATION REPORT (SEALED) in case as to Scott Sholds. (See Addendum for PSR revisions) (Attachments: # <u>1</u> Addendum)(tmt) (Additional attachment(s) added on 10/24/2014: # <u>2</u> Letters of Support (slc). Modified on 10/24/2014 (slc). (Entered: 10/21/2014)
10/21/2014	<u>23</u>		THE DOCUMENT IS FILED UNDER SEAL WITH THE COURT. SENTENCING RECOMMENDATION as to Scott Sholds. (tmt) (Entered: 10/21/2014)
10/21/2014			TEXT ONLY ORDER granting Defendant's <u>21</u> Unopposed Motion to Extend Sentencing Memorandum Deadline as to Scott Sholds (1). Defendant's Sentencing Memorandum is due on or before October 27, 2014. A response brief, if desired, will be due on or before November 3, 2014. Signed by Honorable Timothy L. Brooks on October 21, 2014. (cc via CM/ECF: U.S. Probation Office, U.S. Marshals Service) (slc) (Entered: 10/21/2014)
10/27/2014	<u>24</u>		SENTENCING MEMORANDUM by Scott Sholds (Schisler, John) (Entered: 10/27/2014)
10/28/2014	<u>25</u>		SENTENCING MEMORANDUM by USA as to Scott Sholds (Roberts, Dustin) (Entered: 10/28/2014)
11/07/2014	<u>26</u>		Minute Entry for proceedings held before Honorable Timothy L. Brooks: Sentencing as to Scott Sholds held on 11/7/2014. (Dana Hayden–Court Reporter)(Proceedings held in Fayetteville–Room 509) (slc) (Entered: 11/07/2014)
11/07/2014	<u>27</u>	8	JUDGMENT as to Scott Sholds (1), Count(s) 1–4, SENTENCED TO 360 MONTHS ON COUNT ONE (1); 360 MONTHS ON COUNT TWO (2) TO RUN CONSECUTIVELY TO COUNT ONE (1); 360 MONTHS ON COUNT THREE (3), OF WHICH 240 MONTHS WILL RUN CONSECUTIVELY TO COUNTS ONE (1) AND TWO (2) AND 120 MONTHS WILL RUN

			CONCURRENTLY; 360 MONTHS ON COUNT FOUR (4) TO RUN CONCURRENTLY WITH ALL OTHER TERMS; 25 YEARS SUPERVISED RELEASE CONCURRENTLY; \$400.00 SPECIAL ASSESSMENT; Count(s) 5, SENTENCED TO 240 MONTHS IMPRISONMENT TO RUN CONCURRENTLY WITH ALL OTHER TERMS; 25 YEARS SUPERVISED RELEASE TO RUN CONCURRENTLY; \$100.00 SPECIAL ASSESSMENT. Signed by Honorable Timothy L. Brooks on November 7, 2014. (cc via CM/ECF: U.S. Probation Office, U.S. Marshals Service) (rg) (Entered: 11/07/2014)
11/07/2014	<u>28</u>		STATEMENT OF REASONS as to Scott Sholds filed pursuant to the entry of the <u>27</u> Judgment. THIS DOCUMENT IS FILED UNDER SEAL. . Signed by Honorable Timothy L. Brooks on November 7, 2014. (cc via CM/ECF: U.S. Probation Office, U.S. Marshals Service) (rg) (Entered: 11/07/2014)
11/19/2014	<u>29</u>	14	NOTICE OF APPEAL – Final Judgment by Scott Sholds re <u>27</u> Judgment. (Schisler, John) (cc via ECF: Conner Eldridge, Dustin Roberts, Jack Schisler) (Modified on 11/20/2014 to add distribution (jn). (Entered: 11/19/2014)
11/20/2014	<u>30</u>	16	NOA SUPPLEMENT FORM re <u>29</u> Notice of Appeal – Final Judgment (atty) filed by Scott Sholds. (jn) (Entered: 11/20/2014)

UNITED STATES DISTRICT COURT

WESTERN

District of

ARKANSAS

UNITED STATES OF AMERICA

JUDGMENT IN A CRIMINAL CASE

V.

SCOTT SHOLDS

Case Number: 5:14CR50035-001

USM Number: 12253-010

Jack Schisler

Defendant's Attorney

THE DEFENDANT:

☒ pleaded guilty to count(s) One (1) through Five (5) of the Indictment on July 14, 2014.☐ pleaded nolo contendere to count(s) _____
which was accepted by the court.☐ was found guilty on count(s) _____
after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

Title & Section	Nature of Offense	Offense Ended	Count
18 U.S.C. §§ 2251(a) and (e)	Production of Child Pornography	04/10/2014	1, 2, 3, 4
18 U.S.C. §§ 2252A(a)(5)(B) and (b)(2)	Possession of Child Pornography	04/15/2014	5

The defendant is sentenced as provided in pages 2 through 6 of this judgment. The sentence is imposed within the statutory range and the U.S. Sentencing Guidelines were considered as advisory.

☐ The defendant has been found not guilty on count(s) _____☒ Count(s) Forfeiture Allegation ☒ is ☐ are dismissed on the motion of the United States.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

November 7, 2014

Date of Imposition of Judgment

Signature of Judge

Honorable Timothy L. Brooks, United States District Judge

Name and Title of Judge

Date

November 7, 2014

DEFENDANT: SCOTT SHOLDS
CASE NUMBER: 5:14CR50035-001

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of: **nine hundred sixty (960) months which consists of the following: 360 months on Count One; 360 months on Count Two to run consecutively to Count One; 360 months on Count Three, of which 240 months will run consecutively to Counts One and Two and 120 months will run concurrently; 360 months on Count Four to run concurrently with all other terms; and 240 months on Count Five to run concurrently with all other terms.**

☒ The court makes the following recommendations to the Bureau of Prisons:
The defendant be placed in the facility at Texarkana, Texas, to the extent that bed space is available.

☒ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:

☐ at _____ ☐ a.m. ☐ p.m. on _____ .
☐ as notified by the United States Marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

☐ before 1 p.m. on _____ .
☐ as notified by the United States Marshal.
☐ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____
a _____ , with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
DEPUTY UNITED STATES MARSHAL

DEFENDANT: SCOTT SHOLDS
 CASE NUMBER: 5:14CR50035-001

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of : **twenty-five (25) years on each count, to run concurrently.**

The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

- ☐ The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)
- ☒ The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon. (Check, if applicable.)
- ☒ The defendant shall cooperate in the collection of DNA as directed by the probation officer. (Check, if applicable.)
- ☒ The defendant shall comply with mandatory sex offender registration laws. (Check, if applicable.)
- ☐ The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or restitution, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer in a manner and frequency directed by the court or probation officer;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court; and
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

DEFENDANT: SCOTT SHOLDS
CASE NUMBER: 5:14CR50035-001

SPECIAL CONDITIONS OF SUPERVISION

1. If deemed necessary, the defendant shall submit to any means utilized by the U.S. Probation Office to track his whereabouts or location at any time.
2. The defendant shall have no unsupervised contact with minors.
3. The defendant shall submit his person, residence, place of employment, vehicle, papers, computer, other electronic communication or data storage devices or media, and personal effects to a search conducted by the U.S. Probation Office at a reasonable time and in a reasonable manner based upon reasonable suspicion that a violation of any condition of supervised release might thereby be disclosed.
4. Except for purposes of employment, the defendant shall not possess, use, or have access to a computer or any other electronic device that has internet or can store visual images, without prior written approval of the U.S. Probation Office.
5. The defendant shall submit to inpatient or outpatient mental health evaluation, counseling, testing and/or treatment, all with an emphasis on sex offender treatment, as deemed necessary and as directed by the U.S. Probation Office.
6. The defendant shall submit to inpatient or outpatient substance abuse evaluation, counseling, testing, and/or treatment, as deemed necessary and directed by the U.S. Probation Officer.

DEFENDANT: SCOTT SHOLDS
 CASE NUMBER: 5:14CR50035-001

CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
TOTALS	\$ 500.00	\$ - 0 -	\$ - 0 -

☐ The determination of restitution is deferred until _____. An *Amended Judgment in a Criminal Case* (AO 245C) will be entered after such determination.

☐ The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss*</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
----------------------	--------------------	----------------------------	-------------------------------

TOTALS	\$ _____	\$ _____
---------------	----------	----------

☐ Restitution amount ordered pursuant to plea agreement \$ _____

☐ The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

☐ The court determined that the defendant does not have the ability to pay interest and it is ordered that:

☐ the interest requirement is waived for the ☐ fine ☐ restitution.

☐ the interest requirement for the ☐ fine ☐ restitution is modified as follows:

* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

DEFENDANT: SCOTT SHOLDS
CASE NUMBER: 5:14CR50035-001

SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties are due as follows:

- A ☒ Lump sum payment of \$ 500.00 due immediately.
- ☐ not later than _____, or
☒ in accordance ☐ C, ☐ D, ☐ E, or ☒ F below; or
- B ☐ Payment to begin immediately (may be combined with ☐ C, ☐ D, or ☐ F below); or
- C ☐ Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after the date of this judgment; or
- D ☐ Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E ☐ Payment during the term of supervised release will commence within _____ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F ☒ Special instructions regarding the payment of criminal monetary penalties:
If not paid immediately, any unpaid financial penalty shall be paid during the period of imprisonment at a rate of \$15.00 or 10% of the defendant's quarterly earnings, whichever is greater. The payment of any remaining balance shall be a condition of supervised release and may be paid in monthly installments of \$100.00 or 10% of the defendant's net monthly household income, whichever is greater, with the entire balance of the restitution and fine to be paid in full one month prior to the end of the period of supervised release.

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

☐ Joint and Several

Defendant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate.

- ☐ The defendant shall pay the cost of prosecution.
- ☐ The defendant shall pay the following court cost(s):
- ☐ The defendant shall forfeit the defendant's interest in the following property to the United States:

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.

United States District Court
for the
 Western District of Arkansas

NOTICE OF APPEAL

United States of America
 Plaintiff;

vs.

Scott Sholds
 Defendant.

*
 * 5:14-cr-50035
 * District Court Docket Number
 *
 * Honorable Timothy L. Brooks
 * District Court Judge

Notice is hereby give that Scott Sholds appeals to the United States Court of Appeals for the Eighth Circuit from the Judgment and Commitment entered in this action on 11/07/2014.

/s/ Jack Schisler
 Signature of Appellant's Counsel
3739 N. Steele Blvd., Suite 280
 Street Address Room
Fayetteville AR 72703
 City State Zip Code

Jack Schisler
 Typed Name of Appellant's Counsel
479-442-2306
 Telephone Number (include Area Code)
11/19/2014
 Date

Defendant's Address: Washington County Detention Center
 (Complete Address
 if incarcerated; or
 City & State only) 1155 Clydesdale Drive, Fayetteville, AR 72703

Offenses: Sexual Exploitation of a Minor, Possession of Child Pornography

Date of Verdict: _____ ☐ Jury ☐ Non-Jury

Trial Testimony - Number of Days _____ Bail Status _____

Sentence: Cnt 1 360 mos., Cnt 2 360 mos, Cnt 3 240 mos., 25 yrs supervised release, 500.00 special assessment
 Date Imposed: 11/07/2014

Appealing: ☒ Sentence ☐ Conviction ☐ Both

Trial Counsel was: ☒ Appointed ☐ Retained

Does Defendant's financial status warrant appointment of counsel on appeal? ☒ Yes ☐ No

Affidavit of Financial Status (CJA23) filed on: 05/29/2014

Is there a reason why trial counsel should not be appointed as counsel on appeal? ☐ Yes ☒ No

Assistant U.S. Attorney Dustin Roberts, AUSA 479-783-5125
 (Name and Phone)

CERTIFICATE OF SERVICE

I do hereby certify that a copy of the foregoing Notice of Appeal has been electronically filed with the Clerk of Court using the CM/ECF System on 11/19/2014 which will send notification of such filing to the following:

Dustin Roberts AUSA

and I hereby certify that I have mailed the document by the United States Postal Service to the following non CM/ECF participants:

None

/s/ Jack Schisler

CERTIFICATE OF SERVICE

I hereby certify that on _____, I presented the foregoing Notice of Appeal to the Clerk of Court for filing and uploading to the CM/ECF System which will send notification of such filing to the following:

and I hereby certify that I have mailed the document by the United States Postal Service to the following non CM/ECF participants:

/s/

**U.S. COURT OF APPEALS - EIGHTH CIRCUIT
NOA SUPPLEMENT**

Please note any additions or deletions to the style of the case from the style listed on the docket sheet or attach an amended docket sheet with the final style of the case.

Western District of Arkansas - FAYETTEVILLE DIVISION

14-50035 USA vs. SCOTT SHOLDS

Length of Trial: **NONE**

Financial Status: Fee Paid? Yes No **XX**

If NO, has IFP been granted? Yes **XX** No

Is there a pending motion for IFP? Yes No

Are there any other post-judgment motions? Yes No

Please identify the court reporter.

If no court reporter, please check

Name **DANA HAYDEN**
Address **35 E. MOUNTAIN, ROOM 559**
FAYETTEVILLE, AR 72701

Telephone Number **479-695-4460**

CRIMINAL CASES ONLY:

Is the defendant incarcerated? Yes **XX** No

Place of confinement, if known: **CURRENTLY:**
WASHINGTON COUNTY JAIL
1155 CLYDESDALE DR.
FAYETTEVILLE, AR 72701

Please list all other defendants in this case, if there were multiple defendants.

SPECIAL COMMENTS: